

SUNDAY TRADING
(REFRESHMENT ROOMS) ACT.

Act No. 19, 1916.

An Act to amend the law with respect to Sunday trading in certain shops; and for that purpose to amend certain Acts. [Assented to, 19th April, 1916.] George V.
No. 19.

BE it enacted by the King's Most Excellent Majesty, by and with the advice and consent of the Legislative Council and Legislative Assembly of New South Wales in Parliament assembled, and by the authority of the same, as follows:—

1. This Act may be cited as the "Sunday Trading (Refreshment Rooms) Act, 1916." It shall commence and take effect on and from the first day of July, one thousand nine hundred and sixteen. Short title
and com-
mencement.

2. Notwithstanding anything contained in any Act of prior date, it shall be lawful for any shop described in Part I of Schedule One, licensed under this Act, to be open for the sale of the articles, commodities, and things named in Part I of Schedule Two, and for any person to sell therein such articles, commodities, and things on Sundays within the hours of— Shops in Part I
of Schedule One
may be opened
for the sale of
certain articles
during certain
hours.

half-past eight and ten in the morning ;
one and half-past six in the afternoon ; and
half-past eight and ten in the evening :

3. Notwithstanding anything contained in any Act of prior date, it shall be lawful for any shop described in Part II of Schedule One, and licensed under this Act, to be open for the sale of the articles, commodities, and Shops in Part
II of Schedule
One.

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George V. and things named in Part II of Schedule Two, and for
No. 19. any person to sell therein such articles, commodities,
 and things on Sundays within the hours of—
 half-past eight and ten in the morning ;
 half-past twelve and half-past six in the after-
 noon ; and
 half-past eight and ten in the evening.

Shops in Part
 III of
 Schedule One
 may be
 opened for
 the sale of
 certain
 articles
 during certain
 hours.

4. Notwithstanding anything contained in any Act
 of prior date, it shall be lawful for any shop described in
 Part III of Schedule One, and licensed under this Act,
 to be open for the sale of the articles, commodities, and
 things named in Part III of Schedule Two, and for any
 person to sell therein such articles, commodities, and
 things on Sundays within the hours of—
 eight and ten in the morning ;
 twelve noon and two in the afternoon ;
 five and ten in the evening.

Not to apply
 to railway
 refreshment
 rooms.

5. The two last preceding sections shall not apply to
 railway refreshment rooms.

Notwithstanding anything contained in any Act of
 prior date, it shall be lawful for any such refreshment
 room to be open for the sale of the articles, commodities,
 and things named in Schedule Two, and for any person
 to sell therein such articles, commodities, and things on
 Sundays at any time.

Penalties.

6. Any person who on any Sunday—

- (a) at any time other than within the hours above
 prescribed opens, or keeps open to the public
 for purposes of trade any shop described in
 Schedule One, or offers for sale, or sells
 therein any article, commodity, or thing ; or
- (b) offers for sale or sells in any such shop within
 the hours above prescribed any article, com-
 modity, or thing not authorised by this Act to
 be sold ; or
- (c) offers for sale or sells in any such shop any
 article, commodity, or thing named in Part I
 of Schedule Two for consumption otherwise
 than on the premises of the vendor ; or
- (d) employs in any shop any person under sixteen
 years of age,

shall be liable to a penalty not exceeding five pounds,
 or in default to be imprisoned for a period not exceeding
 month.

7.

7. No restaurant or dining-room keeper shall be guilty of the said offence by reason only that within one half-hour after the said closing time goods have been offered or sold to a customer who at the said closing time was in the said restaurant or dining-room being served or waiting to be served. George V,
No. 19.
Customer
waiting to be
served.

8. On payment of the prescribed fee licenses called "Sunday Trading Licenses" may be granted under this Act in the prescribed form to the occupier of any shop described in Schedule One hereto. Applications for such licenses shall be made to the court of petty sessions in the police district within which the shop in respect of which the application is made is situated. Applications
for licenses.

9. Penalties under this Act may be imposed by a stipendiary or police magistrate, or by any two justices of the peace in petty sessions. Recovery of
penalties.

10. (1) It shall be lawful for the Governor from time to time to frame regulations not being inconsistent with the provisions of this Act for any of the following purposes, namely:— Regulations.

- (a) For prescribing the forms of applications, licenses, and other documents not provided for by the Schedules to this Act, and for correcting or varying any such form when necessary.
- (b) For prescribing the fees to be paid for licenses granted under this Act, and the person or persons to whom such fees shall be paid and for the due accounting therefor.
- (c) And generally for the purpose of giving effect to the provisions of this Act.

(2) Such regulations shall—

- (a) be published in the Gazette;
- (b) take effect from the date of publication or from a later date to be specified in such regulations; and
- (c) be laid before both Houses of Parliament within fourteen days after publication if Parliament is in session; and if not, then within fourteen days after the commencement of the next session.

If

George V,
No. 19. If either House of Parliament passes a resolution at any time within fifteen sitting days after such regulations have been laid before such House disallowing any regulation, such regulation shall thereupon cease to have effect.

SCHEDULES.

SCHEDULE ONE.

PART I.

Pastrycooks' or bakers' shops, for the sale of bread in various forms, cakes or biscuits.

Any shop in combination of any or all of the above noted utilities.

PART II.

Tea rooms.

Fruiterers' shops.

Ice-cream shops.

Confectioners' shops.

Milk shops.

Shops for the sale of non-alcoholic drinks.

Any shop in combination of any or all of the above noted utilities.

PART III.

Restaurants and dining-rooms.

Fish and oyster shops and saloons for the sale of oysters and cooked fish.

Any shop in combination of any or all of the above noted utilities.

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SCHEDULE TWO.

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PART I.

Milk, tea, coffee, cocoa, chocolate, and similar drinks.
Temperance and non-alcoholic drinks.
Ice-cream or ices, or confectionery.
Bread in various forms, pastry, cakes, or biscuits.

PART II.

Milk, tea, coffee, cocoa, chocolate, and similar drinks.
Ice-cream or ices.
Confectionery.
Fruit of all kinds.
Bread in various forms, pastry, cakes, or biscuits, with butter, jam,
or honey to be consumed in conjunction therewith.
Temperance or non-alcoholic drinks.

PART III.

Meals.
Cooked fish and oysters.
Bread in various forms.
Temperance and non-alcoholic drinks.

HUNTER